

JAMES R. FROCCARO, JR.
Attorney at Law
20 Vanderventer Avenue, Suite 103W
Port Washington, NY 11050
telephone: (516) 944-5062
fax: (516) 944-5066
email: JRFESQ61@aol.com

March 11, 2021

BY ECF

Hon. Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Dominick Ricigliano
19 Cr 442 (BMC)

Dear Judge Cogan:

This letter is submitted on behalf of defendant Dominick Ricigliano in anticipation of his sentencing before Your Honor at 10:00 am on March 25, 2021. For all of the reasons set forth below, I am respectfully asking Your Honor to sentence Mr. Ricigliano to a 21 month term of imprisonment in this case.

Notably, the parties agree that Mr. Ricigliano's case presents no material factual or legal disputes. Mr. Ricigliano pled guilty pursuant to a written Plea Agreement with the government to Count Twenty-Eight of the Indictment charging him with conspiracy to collect one or more

extensions of credit through extortionate means.¹ The parties' estimate of the applicable advisory U.S. Sentencing Guidelines is as follows. A base offense level of 20 - minus 3 levels for acceptance of responsibility - minus 1 additional level for participating in the global disposition - resulting in a total offense level of 16. Because Mr. Ricigliano has no prior criminal history, he is in Criminal History Category I.² A total offense level of 16 and a Criminal History Category I, places Mr. Ricigliano within the 21-27 month advisory prison range under the Guidelines. The Guidelines estimate provided in the parties' Plea Agreement is in accord with the estimate provided to Your Honor by the Probation Department in the Presentence Investigation Report ("PSR"). See PSR at paragraph 151.

Significantly, the government has also agreed to take "no position" at sentencing concerning where within the applicable Guidelines range Mr. Ricigliano's sentence should fall. As previously stated - I am asking Your Honor to sentence Mr. Ricigliano to a 21 month prison term - the low end of the applicable Guidelines range in his case.

Mr. Ricigliano possesses a number of redeeming qualities. He is by all accounts a loving son, brother and grandson. I have attached hereto for Your Honor's review letters from Mr. Ricigliano's loved ones. The Court should also know that Mr. Ricigliano has gainful employment waiting for him upon his release. A letter confirming this job opportunity is also attached.

In sum, Mr. Ricigliano has truly accepted responsibility for his conduct, including participating in the global disposition of a very large criminal case, permitting, of course, the government and Court to allocate their resources far more efficiently. Mr. Ricigliano has not attempted to make excuses for his conduct or shift any blame upon others. He is contrite, remorseful and determined to be a better person.

¹ This was the only charge filed against Mr. Ricigliano in the 31-count Indictment.

² Mr. Ricigliano, age 31, has never been arrested before.

As set forth in the PSR, he has complied with all of the court ordered conditions of his release since his arrest more than 17 months ago, and will continue to do so while on any term of supervised release imposed by this Court.

For all of the foregoing reasons, I respectfully submit that a sentence of 21 months in prison is sufficient but not greater than necessary in Mr. Ricigliano's particular case.

Respectfully submitted

/JRF/

James R. Froccaro, Jr.

JRF:pa
Encls.

cc: Senior USPO Patricia A. Sullivan, by email, w/encls.

March 10, 2021

Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Dear Judge Cogan,

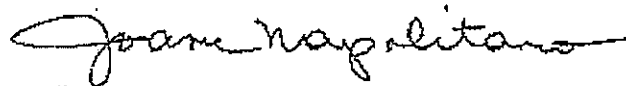
I write to Your Honor with a very heavy heart on behalf of my son, Dominick, who is scheduled to be sentenced on March 25, 2021.

Suffice it to say, that I was very upset by the news of Dominick's arrest and his conduct. The Dominick I know, however, has a very good heart. By way of example, Dominick put his life on hold when my father - his grandfather - became very ill a number of years ago. He moved in with my parents to help care for my father - because my mother was physically unable to care for him on her own. And when my father passed, he felt bad to leave his grandmother, now age 86 and in poor health, alone. So, he continued to live in the basement of her home to be there for her and assist her. Dominick always takes his grandmother grocery shopping, to her doctor appointments, and runs whatever other errands she needs. This has not only been an enormous help to his grandparents, but also a big help to me - for I have not been well myself - and have been physically unable to help.

I know that Dominick had wanted to get married, but my parents issues and now his arrest - has placed his life on hold.

I know that Dominick is very sorry for his involvement. He has never been in trouble before Your Honor and I know he won't ever be again. Please be lenient with son.

Sincerely,

A handwritten signature in cursive script that reads "Joanne Napolitano". The signature is fluid and extends to the right.

Joanne Napolitano

March 9, 2021

Hon. Brian M. Cogan
U.S. District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Dear Judge Cogan,


I write on behalf of my son, Dominick Daniel Ricigliano, who is scheduled to be sentenced by Your Honor on March 25th.

Dominick has always been a loving and caring son, grandson and brother. I know that my son is remorseful for his involvement and that he is more than capable of being a hard-working and productive member of the community if given a second chance.

Please be lenient with my son Your Honor.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Dominick Ricigliano", written over a horizontal line.

Dominick Thomas Ricigliano

March 10, 2021

Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Dear Judge Cogan,

I write to Honor on behalf of my brother, Dominick Ricigliano, in the hope that you will be lenient with him at sentencing. Dominick has never been in any kind of trouble before and he possesses a number of very good qualities. A short story about my older brother (Dominick is 3 years older than I) to follow will illustrate best how I've always felt about him.

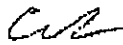
When we were both very young boys and on our way home together from elementary school on the school bus - we were dropped off each day a number of blocks away from our home and our mother was always there waiting for us to arrive. One day, however, our mother got stuck in very heavy traffic and was nowhere to be found when the bus dropped us off at our regular stop. I became very upset and started to cry uncontrollably at the time. But, my brother took me by the hand and assured me that he would never let anything happen to me - and that everything was going to be alright. And, of course, everything was alright when my mother appeared a number of minutes later. This is the way I've have always felt about my older brother to this day.

Was I very upset with Dominick after learning of his arrest - of course. But, I love him unconditionally, and know he is very sorry for his involvement and that he will not get into any kind of trouble again.

If you could please find it in your heart to be lenient with my brother -
I know that he would not disappoint.

Thank you.

Sincerely,

A handwritten signature in dark ink, appearing to be 'AR' or 'A. Ricigliano', written in a cursive style.

Anthony Ricigliano

March 9, 2021

Honorable Brian M. Cogan
U.S. District Court
225 Cadman Plaza East
Brooklyn, NY 11201

Dear Judge Cogan,

I write on behalf of my boyfriend, Dominick Ricigliano, in anticipation of his sentencing before Your Honor later this month.

While I know that Your Honor understandably hears about the bad Dominick has done, you should also know that he done some very good things as well.

Dominick is a very loving and caring son and grandson. I know because I have seen it first-hand since we began dating a number of years ago. Dominick essentially put his life on hold to help care for his ailing grandparents. First, his maternal grandfather - who unfortunately later passed - and now his maternal grandmother. He did this mainly because he cared for them and genuinely wanted to help. But, he also did it to help his mother - who has been dealing with very serious health issues of her own.

I had hoped that Dominick and I would be getting married soon and certainly did not expect this. No one was more upset with Dominick than I was to learn of his arrest. It obviously came as a real surprise to me. But, I know that Dominick is truly sorry for his involvement. And I also know that since his arrest, he has scrupulously complied with each and every condition of his release on bail and that he would not disappoint me or embarrass himself - ever again.

Please be as lenient as possible with Dominick under the circumstances
Your Honor.

Thank you.

Very truly yours,

Erika Ferraro

Erika Ferraro

**Top Down Consultant LLC
D.B.A. Ridge Capital**

3/10/20

To whom It May Concern ,

This letter is on behalf of Dominick Ricigliano, Dominick had worked for me from November 2019 up until March 2020 due to the unfortunate Corona pandemic, which caused our my firm to close for several months . Dominick was and is a very hard worker and reliable. My firm is back in operation and we are working with a very short staff at the moment, however as soon as Dominick completes his obligation with the justice department, he will have gainful employment here at Ridge Capital and I would be happy to have him back. please feel free to contact me at any time.

Michael Senator

Owner/CEO



Office: (929) 419-5058

Cell: (646) 701-2331

Fax: (929) 259-6459

276 79th Street Brooklyn, NY

1st Floor

11209

Office: (929)419-5058

Cell : (646) 701-2331

Fax: (929) 259-6459

